

REMARKS CONCERNING THE AMENDMENTS

The above amendments were made in an effort to better define the present invention. Antecedent basis for the amendments may be found generally in the specification

SUMMARY OF THE OFFICE ACTION

1. The Drawings are Objected to because of the manner of submission of previous replacement sheets.
2. The Specification is Objected to as the Abstract appeared to have an excessive number of words.
3. Claims 1-20 have been rejected under 35 USC 103(a) as unpatentable over U.S. Patent No. 6,068,552 (Walker et al.) in view of U.S. Patent No. 5,395,111 (Inoue).

ARGUMENTS AGAINST THE REJECTIONS AND OBJECTIONS IN THE OFFICE ACTION

1. The Drawings are Objected to because of the manner of submission of previous replacement sheets.

The Replacement Sheets have been resubmitted as requested by the Office Action.

2. The Specification is Objected to as the Abstract appeared to have an excessive number of words.

The Abstract has been amended to fewer than 150 words.

3. Claims 1-20 have been rejected under 35 USC 103(a) as unpatentable over U.S. Patent No. 6,068,552 (Walker et al.) in view of U.S. Patent No. 5,395,111 (Inoue).

The claims have been amended to reflect a completely different concept in the practice of the present invention. In addition to providing separate generic and subgeneric symbol identifiers (e.g., suits and ranks, respectively), the game play provides an award for **multiple different** combinations of the generic symbol identifiers only. For example, in a five frame payline, the player would be awarded a payout for both 5 consecutive frames of the same generic symbol (e.g., suit) and for **fewer than five (fewer than all)** generic symbols in a payline. This is a unique and novel award-based system. Even in an event where there are five generic symbols first provided by Inoue, there is no identified award available, even though a flush is guaranteed, and the player does not have the excitement of watching frames filled in with symbols that may increase the payout in multiple ways. For example, If an Ace appears in the first (or last) frame, there might be an increased award. If there is an Ace and King, or an Ace-King and Queen (in order), there might be additional increases in awards, even if there is no Royal Flush ultimately attained.

Even more importantly, as represented by the limitation in claim 2 of:

“...and fewer than all of the multiple symbols on a single payline having a same generic symbol as well as all of the multiple symbols on the single payline having the same generic symbol will assure a first award on the wager”

indicates that there is an award to be paid when fewer than all of the generic symbols in a payline are a single generic symbol. In both Walker et al. and Inoue, there is no award for the specific presence of multiple generic symbols, but fewer than all symbols in a payline. A payment might occur in these references if there were such multiple single generic symbols and a last frame completed a high pair or a straight, but there would be no award **based on the fewer than all generic symbols in a predetermined order** (e.g., the first four frames or the last four frames). This teaching is completely absent from Walker et al. And Inoue and establishes the novelty and unobviousness of the claimed subject matter of claims 1 and 2 and every claim dependent therefrom.

Claims 5 and 6, claim 12 and claim 13 also contain limitations that themselves represent novel and unobvious subject matter.

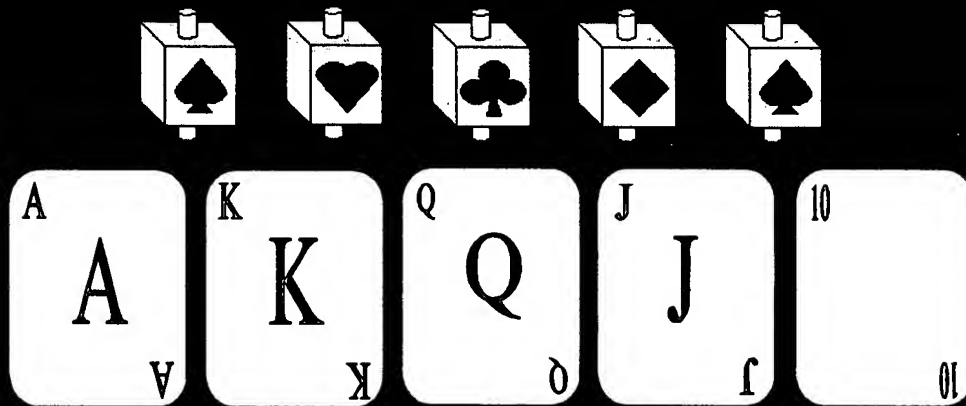
Claims 5 and 6 recite that different generic symbols (e.g., suits) are awarded differently in combination with the sequence of the generic symbols in fewer than all frames in a payline.

Claim 12 limits the symbols to A, K, Q, J and 10, excluding all other normal card ranks (e.g., 2, 3, 4, 5, 6, 7, 8 and 9), although allowing for a wild card, wild symbol or the like

Claim 13 specifically identifies the ordered subgeneric symbols for **fewer than all frames in a five frame payline, none of the ordered symbols including five frames**.

An example of the unique type of payable available in the play of this game, with flushes awarded independent of card rank, and card hand ranks (including pairs, which are not possible with a normal 52-card deck) being enhanced when a flush is present.

Highly Complex
Sets of Rules



As can be seen, the practice of the present technology offers unique winning events and unique paytables that are not available in the combination of Walker et al. in view of Inoue.

The rejection of record is in error and must be withdrawn.

CONCLUSION

The rejections of record have been traversed and overcome by the above arguments and amendments and all claims should be allowed. If the Examiner believes that issues remain in this application and that a conference call on those issues might assist in the prosecution of this application, the Examiner is courteously invited to call the attorney of record at **952.832.9090** Central Time Zone.

Respectfully submitted,

MARK A. STROM

By His Representatives,

MARK A. LITMAN & ASSOCIATES, P.A.

York Business Center, Suite 205

3209 West 76th Street

Edina, Minnesota 55435

(952) 832-9090

Date: 5 SEPTEMBER 2007


By: 

Mark A. Litman

Reg. No. 26,390

CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, addressed to: Mail Stop RCE, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on
5 SEPTEMBER 2007

Mark A. Litman
Name


Signature